UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 March 2008</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18,20-55,57-71 and 75-78* is/are pending in the application.

　　4a) Of the above claim(s) *19,56 and 72-74* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18, 20-55, 57-71 and 75-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

Acknowledgment

1.   This Office Action is responsive to the arguments filed on March 21, 2008.

Response to Arguments

2.   Applicant's arguments filed March 21, 2008 have been fully considered but they

are not persuasive.

3.   Applicant argues on page 30, paragraphs 0020-0024 of the 03/21/2008

Remarks, that White does not teach or suggest "viewer selection of a TV tag" as recited

in claim 75.

4.   In response to the applicant's argument, the examiner respectfully disagrees and

draws attention to the fact that White does disclose "viewer selection of a TV tag" (see

cited portion, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be

selected by a viewer and displayed in a display area as shown in fig 7). The cited

portion meets the claim limitation.

5.   Applicant argues on page 32-33, paragraphs 0025-0030 of the 03/21/2008

Remarks, that the combination of Proehl and White fails to specifically disclose "wherein

the TV tag is used to display a portion of the data that describes the television

broadcast schedule that is contextually relevant in relation to the web-based content" as

now recited in claims 1 and 57.

6.   In response to the applicant's argument, the examiner respectfully disagrees

and draws attention to the fact that the combination of Proehl and White meet the claim

limitation and that White discloses "wherein the TV tag is used to display a portion of the

data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content" (see cited portion, but not limited to paragraph 0049-0050, the TV tag display some part of the broadcast in relation to the web content).

7.   Applicant argues on page 34, paragraph 0032 of the 03/21/2008 Remarks, that the White fails to specifically disclose "a selectable TV tag" as recited in independent claims 26, 33, 37, 45, 51 and 65.

8.   In response to the applicant's argument, the examiner respectfully disagrees and draws attention to the fact that White does disclose selectable TV tag (see cited portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected by a viewer and displayed in a display area as shown in fig 7). The cited portion meets the claim limitation.

9.   Applicant argues on page 36, paragraphs 0039-0040 of the 03/21/2008 Remarks, that White fails to specifically disclose "TV tags representing portions of the television broadcast schedule data are selectable" as cited in claims 63 and 67.

10.   In response to the applicant's argument, the examiner respectfully disagrees and draws attention to the fact that White does disclose TV tags representing portions of the television broadcast schedule data are selectable (see cited portions, but not limited to 0048-0051, the TV tags of fig 8 can be selected by a viewer and displayed in a display area as shown in fig 7). The cited portion meets the claim limitation.

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12.   **Claim 75** is rejected under 35 U.S.C. 102(b) as being anticipated by White (US

Publication Number 2002/0056098).

Regarding **claim 75**, White discloses one or more computer-readable media

comprising computer-executable instructions that, when executed, direct a computing

system to (see fig 5):

receive an indication of a viewer selection of a TV tag (see cited portion, but not

limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected by a viewer and

displayed in a display area as shown in fig 7), the TV tag being rendered with other

web-based content, the TV tag having an associated television entertainment data

element and an associated action (see cited portion, but not limited to fig 8 (88) and

paragraph 0048 and 0062); and

perform the associated action with reference to the associated television

entertainment data element (see paragraph 0050).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14.   **Claims 1-7, 9-18, 20-22 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US Publication Number 2005/0204389) in view of White (US Publication Number 2002/0056098).

Regarding **claim 1**, Proehl et al. discloses a method comprising:

receiving data that describes a television broadcast schedule (see fig 13A (664) and paragraph 0078, lines 21-24);

rendering web-based content that is related to television entertainment (see fig 7 (554), paragraph 0064, lines 1-6 and paragraph 0072). However, Proehl et al. fail to specifically disclose rendering along with the content, a TV tag, the TV tag having an associated data element that can be associated with at least a portion of the data that describes a television broadcast schedule and wherein the TV tag is used to display a portion of the data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content.

White discloses rendering along with the content, a TV tag (see fig 8 (86) and paragraph 0058) and wherein the TV tag is used to display a portion of the data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content (see cited portion, but not limited to paragraph 0049-0050, the TV tag display some part of the broadcast in relation to the web content).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of associating descriptions of favorite television programs.

Regarding **claim 2**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the web-based content comprises program details associated with a particular television program (see fig 13a and paragraph 0079, lines 1-13).

Regarding **claim 3**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the web-based content comprises a description of a particular movie (see fig 16 (batman)).

Regarding **claim 4**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the web-based content comprises a celebrity biography (see paragraph 0078, lines 16-18 and fig 13b (656)).

Regarding **claim 5**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the web-based content comprises a news article (see paragraph 0062, lines 1-4 and fig 5 (536)).

Regarding **claim 6**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 1*). Proehl et al. discloses the method wherein the web-based

content comprises an advertisement (see paragraph 0009, lines 23-26).

Regarding **claim 7**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 1*). Proehl et al. discloses the method wherein the data

element comprises data associated with a particular television series (see fig 13b

(Seinfeld at 8:00pm and 8:30pm)).

Regarding **claim 9**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 1*). Proehl et al. discloses the method wherein the data

element comprises television broadcast schedule data, the schedule data being filtered

based on a channel lineup that is available from a television broadcast provider (see fig

13a (660 and 662) and paragraph 0078, lines 18-20).

Regarding **claim 10**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 1*). Proehl et al. discloses the method wherein the data

element comprises data associated with a particular episode of a television series (see

fig 13b (Seinfeld at 8:00pm)).

Regarding **claim 11**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 1*). Proehl et al. discloses the method wherein the data

element comprises data associated with a particular television program (see fig 13b (National Geographic)).

Regarding **claim 12**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the data element comprises data associated with a particular movie (see fig 16 (Batman)).

Regarding **claim 13**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the data element comprises data associated with a particular person (see paragraph 0078, lines 16-18).

Regarding **claim 14**, Proehl et al. and White discloses everything claimed as applied above (*see claim 13*). Proehl et al. discloses the method wherein the person comprises an actor (see paragraph 0078, lines 16-18).

Regarding **claim 15**, Proehl et al. and White discloses everything claimed as applied above (*see claim 13*). Proehl et al. discloses the method wherein the person comprises a director (see paragraph 0083, lines 5-8).

Regarding **claim 16**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the data

element comprises data associated with a particular sporting event (see paragraph 0068, lines 18-20).

Regarding **claim 17**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the data element comprises data associated with a particular sports team (see paragraph 0068, lines 20-29).

Regarding **claim 18**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). Proehl et al. discloses the method wherein the data element comprises data associated with a particular broadcast channel (see paragraph 0043, lines 13-15 and fig 13a (112 TNT)).

Regarding **claim 20**, Proehl et al. and White discloses everything claimed as applied above (*see claim 1*). However, Proehl et al. fail to specifically disclose the method further comprising: receiving an indication of a viewer selection of the TV tag; and performing an action that is associated with the TV tag.

White discloses the method further comprising: receiving an indication of a viewer selection of the TV tag (see fig 8 (88) and paragraph 0048 and 0062); and

performing an action that is associated with the TV tag (see paragraph 0050).

Regarding **claim 21**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 20*). Proehl et al. discloses a TV planner system (see fig 7

(558), fig 11 and paragraph 0075). However, Proehl et al. fail to specifically disclose a

TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 22**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 20*). Proehl et al. discloses a recording device to record a

particular program (see paragraph 0075, lines 3-14). However, Proehl et al. fail to

specifically disclose a TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 25**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 1*). Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a

computer system to perform the method as recited above (see paragraph 0011).

15.   **Claims 23 and 24** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Proehl et al. (US Publication Number 2005/0204389) and White (US Publication

Number 2002/0056098) as applied to *claim 20* above, and further in view of Kandasamy

et al. (US Publication Number 2004/0187164).

Regarding **claim 23**, Proehl et al. and White discloses everything claimed as

applied above. White discloses the TV tag (see fig 8 (86) and paragraph 0058).

However, Proehl et al. and White fail to specifically disclose the method wherein the

action comprises scheduling an alert system to generate an alert associated with a

particular program.

Kandasamy et al. discloses the method wherein the action comprises

scheduling an alert system to generate an alert associated with a particular program

(see paragraph 0047, lines 18-20)

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al. and White's. invention to include

the above mentioned limitation as taught by Kandasamy et al. for the advantage of

notifying a user when their favorite program is airing.

Regarding **claim 24**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 23*). However, Proehl et al. and White fail to specifically

disclose the method wherein the alert comprises an email message.

Kandasamy et al. discloses the method wherein the alert comprises an email

message (see paragraph 0105, lines 6-10).

16.   **Claim 8** rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al.

(US Publication Number 2005/0204389) in view of White (US Publication Number

2002/0056098) as applied to *claim 1* above, and further in view of Sampson et al. (US

Patent Number 5,802,499).

Regarding **claim 8**, Proehl et al. and White discloses everything claimed as

applied above. Proehl et al. discloses television broadcast schedule data (see fig 13a).

However, Proehl et al. and White fail to specifically disclose the method wherein the

data element comprises data being filtered based on a timezone.

Sampson et al. discloses the method wherein the data element comprises data

being filtered based on a timezone. (see column 59, lines 11-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al and White's. invention to include

the above mentioned limitation as taught by Sampson et al. for the advantage of

receiving television content which is broadcasted at the same standard time.

17.   **Claims 26-28 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Proehl et al. (US Publication Number 2005/0204389) in view of White (US

Publication Number 2002/0056098).

Regarding **claim 26**, Proehl et al. discloses a method comprising:

rendering web-based content that is related to television entertainment (see fig 7

(554), paragraph 0064, lines 1-6 and paragraph 0072). However, Proehl et al. fail to

specifically disclose rendering along with the content, a selectable TV tag, the TV tag

having an associated action and an associated data element; receiving an indication of

a viewer selection of the TV tag; and performing the associated action in relation to the

associated data element based on the selection of the TV tag.

White discloses rendering along with the content, a selectable TV tag (see cited

portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected

by a viewer and displayed in a display area as shown in fig 7), the TV tag having an

associated action and an associated data element (see fig 8 (86) and paragraph 0058);

receiving an indication of a viewer selection of the TV tag (see fig 8 (88) and

paragraph 0048 and 0062); and

performing the associated action in relation to the associated data element based

on the selection of the TV tag (see fig 8 and paragraph 0050).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of associating descriptions of

favorite television programs.

Regarding **claim 27**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 26*). Proehl et al. discloses the method wherein the

performing the associated action comprises maintaining personalization data based on

the data element, the personalization data to be used to filter subsequent renderings of

broadcast schedule data (see fig 10 and paragraph 0074).

Regarding **claim 28**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 26*). Proehl et al. discloses the method wherein the data

element identifies a particular television program, and wherein performing the

associated action comprises scheduling a recording device to record the particular

television program (see paragraph 0075, lines 11-14).

Regarding **claim 32**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 26*). Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a

computer system to perform the method as recited above (see paragraph 0011).

18.   **Claims 29-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Proehl et al. (US Publication Number 2005/0204389) and White (US Publication

Number 2002/0056098) as applied to *claim 26* above, and further in view of Kandasamy

et al. (US Publication Number 2004/0187164).

Regarding **claim 29**, Proehl et al. and White discloses everything claimed as

applied above. However, Proehl et al. and White fail to specifically disclose the method

wherein performing the associated action comprises scheduling an alert system to

generate an alert associated with the data element.

Kandasamy et al. discloses the method wherein performing the associated

action comprises scheduling an alert system to generate an alert associated with the

data element (see paragraph 0047, lines 18-20)

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al. and White's. invention to include

the above mentioned limitation as taught by Kandasamy et al. for the advantage of

notifying a user when their favorite program is airing.

Regarding **claim 30**, Proehl et al, White and Kandasamy et al. discloses

everything claimed as applied above (*see claim 29*). Kandasamy et al. discloses the

method wherein the data element identifies a particular television program, and the alert

is generated when the particular television program is scheduled to be broadcast (see

paragraph 0106, lines 10-18).

Regarding **claim 31**, Proehl et al, White and Kandasamy et al. discloses

everything claimed as applied above (*see claim 29*). Kandasamy et al. discloses the

method wherein the alert comprises an email message (see paragraph 0105, lines 6-7).

19.   **Claims 33-39 and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Proehl et al. (US Publication Number 2005/0204389) in view of White (US

Publication Number 2002/0056098).

Regarding **claim 33**, Proehl et al. discloses a method comprising:

rendering an article that describes a particular television program (see fig 5 (542)

and paragraph 0062), a TV planner (see fig 7 (558), fig 11 and paragraph 0075, lines 1-

3) and personalized data (see fig 10). However, Proehl et al. fail to specifically disclose

rendering along with the article, a selectable TV tag that is associated with the particular

television program; receiving an indication of a viewer selection of the TV tag; and

transmitting data based on the selected TV tag to system.

White discloses rendering along with the article, a selectable TV tag (see cited

portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected

by a viewer and displayed in a display area as shown in fig 7) that is associated with the

particular television program (see fig 8 (86) and paragraph 0058);

receiving an indication of a viewer selection of the TV tag (see fig 8 (88) and

paragraph 0048 and 0062) ; and

transmitting data based on the selected TV tag to a system (see paragraph 0053,

fig 8 and paragraphs 0061-0068).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of assisting the user to select

their desired television program.

Regarding **claim 34**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 33*). Proehl et al. discloses the method wherein a particular

television series (see fig 13a (Seinfeld at 8:00pm and 8:30pm)), and wherein the

personalization data indicates that the personalized version of the television broadcast

schedule is to include data describing each episode (see Seinfeld at 8:00pm) of the

particular television series that is scheduled to be broadcast (see fig 13a and paragraph

0079, lines 1-13). However, Proehl et al. fail to disclose TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 35**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 33*). Proehl et al. discloses the method wherein a particular

episode (see fig 13a (Mad about you at 8:30pm)) of a particular television program, and

wherein the personalization data indicates that the personalized version of the television

broadcast schedule is to include data describing the particular episode of the particular

television program that is scheduled to be broadcast (see fig 13a and paragraph 0079,

lines 1-13). However, Proehl et al. fail to disclose TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 36**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 33*). Proehl et al. discloses the method wherein a particular

television series (Godzilla at 8:00pm and 8:30pm), and wherein the personalization data

indicates that the personalized version of the television broadcast schedule is to include

data describing only new episodes of the particular television program that are

scheduled to be broadcast (see fig 13b and paragraph 0079, lines 14-18). However,

Proehl et al. fail to disclose TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 37**, Proehl et al. discloses a method comprising:

rendering content that describes a particular movie (see fig 16 and paragraph 0081, lines 12-14), a TV planner (see fig 7 (558), fig 11 and paragraph 0075, lines 1-3) and a particular movie (see fig 16 (batman)). However, Proehl et al. fail to specifically disclose rendering along with the content, a selectable TV tag; receiving an indication of a viewer selection of the TV tag; and transmitting personalization data based on the selected TV tag to a system that generates a personalized version of a television broadcast schedule.

White discloses rendering along with the content, a selectable TV tag (see cited portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected by a viewer and displayed in a display area as shown in fig 7) (see fig 8 (86) and paragraph 0058);

receiving an indication of a viewer selection of the TV tag (see fig 8 (88) and paragraph 0048 and 0062); and

transmitting personalization data based on the selected TV tag to a system that generates a personalized version of a television broadcast schedule (see paragraph 0053 and paragraphs 0061-0068).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al's. invention to include the above mentioned limitation as taught by White for the advantage of assisting the user to select their desired television program.

Regarding **claim 38**, Proehl et al. and White discloses everything claimed as applied above (*see claim 37*). Proehl et al. discloses the method wherein a particular scheduled airing of the particular movie (see fig 16 (batman)), and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing the particular scheduled airing of the particular movie (see fig 16 and paragraph 0082). However, Proehl et al. fail to specifically disclose TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 39**, Proehl et al. and White discloses everything claimed as applied above (*see claim 37*). Proehl et al. discloses the method wherein the transmitting comprises:

determining whether the particular movie is scheduled for television broadcast (see fig 16 (Teen Wolf at 8:00pm)); and

in an event that the particular movie is not scheduled for television broadcast, transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast (see paragraph 0079, lines 14-18).

Regarding **claim 44**, Proehl et al. and White discloses everything claimed as applied above (*see claim 37*). Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited above (see paragraph 0011).

20.   **Claims 40-43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US Publication Number 2005/0204389) in view of White (US Publication Number 2002/0056098) as applied to *claim 37* above, and further in view of Kandasamy et al. (US Publication Number 2004/0187164).

Regarding **claim 40**, Proehl et al. and White discloses everything claimed as applied above. Proehl et al. discloses the method wherein the transmitting comprises:

determining whether the particular movie is scheduled for television broadcast (see paragraph 0082 and fig 16 (example 8:00pm), and in an event that the particular movie is not scheduled for television broadcast (example 9:30pm); and a TV planner (see fig 7 (558), fig 11 and paragraph 0075, lines 1-6). However, Proehl et al. and White fail to specifically disclose transmitting personalization data that indicates that the system is to automatically generate and send a reminder to the viewer when the particular movie is later scheduled for television broadcast.

Kandasamy et al. discloses automatically generating and sending a reminder to the viewer when the particular movie is later scheduled for television broadcast (see paragraph 0105, lines 1-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al and White's. invention to include the above mentioned limitation as taught by Kandasamy et al. in order to remind or alert a viewer of future movie broadcast.

Regarding **claim 41**, Proehl et al, White and Kandasamy et al. discloses

everything claimed as applied above (*see claim 40*). Kandasamy et al. discloses the

method wherein the reminder comprises an electronic mail message (see paragraph

0105, lines 6-7).

Regarding **claim 42**, Proehl et al, White and Kandasamy et al. discloses

everything claimed as applied above (*see claim 40*). Kandasamy et al. discloses the

method wherein the reminder comprises an Internet-based alert message (see

paragraph 0105, lines 6-7).

Regarding **claim 43**, Proehl et al, White and Kandasamy et al. discloses

everything claimed as applied above (*see claim 40*). Although Kandasamy et al. did not

explicitly disclose the reminder comprises an automated telephone call, Kandasamy et

al. discloses a reminder (see paragraph 0105, lines 6-7). An automated telephone call

is included as a reminder because he discloses by any other appropriate means.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to understand that by any other appropriate means includes a

telecommunication device such as a telephone.

21.   **Claims 45 and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Proehl et al. (US Publication Number 2005/0204389) in view of White (US

Publication Number 2002/0056098).

Regarding **claim 45**, Proehl et al. discloses a method comprising:

rendering content associated with a particular person (see paragraph 0078, lines

16-18); and a TV planner (see fig 7 (558), fig 11 and paragraph 0075, lines 1-3).

However, Proehl et al. fail to specifically disclose rendering along with the content, a

selectable TV tag; receiving an indication of a viewer selection of the TV tag; and

transmitting personalization data based on the selected TV tag to system that generates

a personalized version of a television broadcast schedule.

White discloses rendering along with the content, a selectable TV tag (see cited

portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected

by a viewer and displayed in a display area as shown in fig 7) (see fig 8 (86) and

paragraph 0058);

receiving an indication of a viewer selection of the TV tag (see fig 8 (88) and

paragraph 0048 and 0062); and

transmitting personalization data based on the selected TV tag to a system that

generates a personalized version of a television broadcast schedule (see paragraph

0053 and paragraphs 0061-0068).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of assisting the user to select

their desired television program.

Regarding **claim 50**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 45*). Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a

computer system to perform the method as recited above (see paragraph 0011)

22.   **Claims 46-49** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Proehl et al. (US Publication Number 2005/0204389) in view of White (US Publication

Number 2002/0056098) as applied to *claim 45* above, and further in view of Kandasamy

et al. (US Publication Number 2004/0187164).

Regarding **claim 46,** Proehl et al. and White discloses everything claimed as

applied above. White discloses a TV tag (see fig 8 (86) and paragraph 0058).

However, Proehl et al. and White fail to specifically disclose the method wherein a

particular actor, and the personalization data indicates that the personalized version of

the television broadcast schedule is to include data describing any program scheduled

to be broadcast in which the particular actor has a leading role.

Kandasamy et al. discloses a particular actor, and the personalization data

indicates that the personalized version of the television broadcast schedule is to include

data describing any program scheduled to be broadcast in which the particular actor

has a leading role (see paragraph 0106).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al and White's. invention to include

the above mentioned limitation as taught by Kandasamy et al. for the advantage of

viewing television content with the viewer's favorite actor.

Regarding **claim 47**, Proehl et al. and White discloses everything claimed as applied above (*see claim 45*). White discloses a TV tag (see fig 8 (86) and paragraph 0058). However, Proehl et al. and White fail to specifically disclose the method wherein a particular celebrity, and the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular celebrity has a role.

Kandasamy et al. discloses a particular celebrity, and the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular celebrity has a role (see paragraph 0106).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al and White's. invention to include the above mentioned limitation as taught by Kandasamy et al. for the advantage of viewing television content with the viewer's favorite actor.

Regarding **claim 48**, Proehl et al. and White discloses everything claimed as applied above (*see claim 45*). White discloses a TV tag (see fig 8 (86) and paragraph 0058). However, Proehl et al. and White fail to specifically disclose a particular celebrity, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular celebrity has an appearance.

Kandasamy et al. discloses a particular celebrity, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular celebrity has an appearance (see paragraph 0103).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al and White's. invention to include the above mentioned limitation as taught by Kandasamy et al. for the advantage of viewing television content with the viewer's favorite actor.

Regarding **claim 49**, Proehl et al. and White discloses everything claimed as applied above (*see claim 48*). However, Proehl et al. and White fail to specifically disclose the method wherein the program scheduled to be broadcast in which the particular celebrity has an appearance comprises a talk show on which the celebrity is a guest.

Kandasamy et al. discloses the method wherein the program scheduled to be broadcast in which the particular celebrity has an appearance comprises a talk show on which the celebrity is a guest (see paragraph 0103).

23.   **Claims 51-53 and 55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US Publication Number 2005/0204389) in view of White (US Publication Number 2002/0056098).

Regarding **claim 51**, Proehl et al. discloses a method comprising:

rendering an article associated with a particular sport (see paragraph 0062); and

a TV planner (see fig 7 (558), fig 11 and paragraph 0075, lines 1-3). However, Proehl

et al. fail to specifically disclose rendering along with the article, a selectable TV tag;

receiving an indication of a viewer selection of the TV tag; and transmitting

personalization data based on the selected TV tag to a system that generates a

personalized version of a television broadcast schedule.

White discloses rendering along with the content, a selectable TV tag (see cited

portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected

by a viewer and displayed in a display area as shown in fig 7) (see fig 8 (86) and

paragraph 0058);

receiving an indication of a viewer selection of the TV tag (see fig 8 (88) and

paragraph 0048 and 0062); and

transmitting personalization data based on the selected TV tag to a system that

generates a personalized version of a television broadcast schedule (see paragraph

0053 and paragraphs 0061-0068).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of assisting the user to select

their desired television program.

Regarding **claim 52**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 51*). Proehl et al. discloses the method wherein the article is

associated with a particular sporting event, and wherein the personalization data

indicates that the personalized version of the television broadcast schedule is to include

data describing any scheduled airing of the particular sporting event (see paragraph

0081, lines 13-17 and fig 15 (686)).

Regarding **claim 53**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 51*). Proehl et al. discloses the method wherein the article is

associated with a particular sports team, and wherein the personalization data indicates

that the personalized version of the television broadcast schedule is to include data

describing any scheduled airing of sporting events involving the particular sports team

(see paragraph 0083, lines 5-8, paragraph 0030, figs 14 and 17).

Regarding **claim 55**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 51*). Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a

computer system to perform the method as recited above (see paragraph 0011).

24.   **Claim 54** is rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl

et al. (US Publication Number 2005/0204389) in view of White (US Publication Number

2002/0056098) as applied to *claim 51* above, and further in view of Papagan et al. (US

Publication Number 2002/0059604).

Regarding **claim 54**, Proehl et al. and White discloses everything claimed as

applied above. Proehl et al. discloses the method wherein the article is associated with

a particular sports team, and wherein the personalization data indicates that the

personalized version of the television broadcast schedule is to include data describing

any scheduled airing events involving the particular sports team (see paragraph 0083,

lines 5-8, paragraph 0030, figs 14 and 17). However, Proehl et al. and White fail to

specifically disclose live sports.

Papagan et al. discloses live sports (see paragraph 0041).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al and White's. invention to include

the above mentioned limitation as taught by Papagan et al. for the advantage of

television sporting audiences to enjoy significant enhancement of the sporting event

itself.

25.   **Claims 57 and 61-62** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Proehl et al. (US Publication Number 2005/0204389) in view of White (US

Publication Number 2002/0056098).

Regarding **claim 57**, Proehl et al. discloses a method comprising:

receiving web-based media content (see fig 7 (554), paragraph 0064, lines 1-6

and paragraph 0072);

identifying television entertainment data that may be associated with the web-

based media content (see paragraph 0071, lines 1-5 and fig 12). However, Proehl et al.

fails to specifically disclose associating a TV tag representing the television

entertainment data with the web-based media content, such that the TV tag is rendered

when the web-based media content is rendered and wherein the TV tag is used to

display a portion of the data that describes the television broadcast schedule that is

contextually relevant in relation to the web-based content.

White discloses a TV tag (see fig 8 (86) and paragraph 0058) and wherein the

TV tag is used to display a portion of the data that describes the television broadcast

schedule that is contextually relevant in relation to the web-based content (see cited

portion, but not limited to paragraph 0049-0050, the TV tag display some part of the

broadcast in relation to the web content).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of associating descriptions of

favorite television programs.

Regarding **claim 61**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 57*). White discloses the method wherein the TV tag has an

associated action that is automatically performed when a viewer selects a rendered

version of the TV tag (see paragraph 0050 and fig 8).

Regarding **claim 62**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 57*). Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a

computer system to perform the method as recited in above (see paragraph 0011).

26.   **Claims 58-60** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Proehl et al. (US Publication Number 2005/0204389) in view of White (US Publication

Number 2002/0056098) as applied to *claim 57* above, and further in view of Couchot et

al. (US Publication Number 2004/0243717).

Regarding **claim 58**, Proehl et al. and White discloses everything claimed as

applied above. Proehl et al. discloses the television entertainment data (see fig 5) and

the web-based media content (see fig 7 (554)). However, Proehl et al. and White fail to

specifically disclose the method wherein the associating comprises adding an ASP.NET

control and an ASP.NET Active Server page.

Couchot et al. discloses the method wherein the associating comprises adding

an ASP.NET control and an ASP.NET Active Server page (see paragraph 0006).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al and White's. invention to include

the above mentioned limitation as taught by Couchot et al. for the advantage of allowing

a user to create a modern website.

Regarding **claim 59**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 58*). However, Proehl et al. and White fail to specifically

disclose the method wherein the ASP.NET control comprises an ASP.NET user control.

Couchot et al. discloses the method wherein the ASP.NET control comprises an

ASP.NET user control (see paragraph 0006, lines 12-15).

Regarding **claim 60**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 58*). However, Proehl et al. and White fail to specifically

disclose the method wherein the ASP.NET control comprises an ASP.NET server

control.

Couchot et al. discloses the method wherein the ASP.NET control comprises an

ASP.NET server control (see paragraph 0041).

27.   **Claims 63-69 and 71** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Proehl et al. (US Publication Number 2005/0204389) in view of White (US

Publication Number 2002/0056098).

Regarding **claim 63**, Proehl et al. discloses a method comprising:

a program data repository to maintain television broadcast schedule data (see fig

5, paragraph 0018 and 0060);

a web server system to store and serve web-based content (see figs 2a-2c and

paragraph 0044). However, Proehl et al. fail to specifically disclose a TV tag generator

to embed TV tags representing portions of the television broadcast schedule data in the

web-based content such that when the web-based content is rendered, television

broadcast schedule data associated with the web-based content is also rendered.

White discloses a TV tag generator (see paragraph 0061 and fig 8) and TV tags

representing portions of the television broadcast schedule data are selectable (see cited

portions, but not limited to 0048-0051, the TV tags of fig 8 can be selected by a viewer

and displayed in a display area as shown in fig 7).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al's. invention to include the above

mentioned limitation as taught by White for the advantage of associating descriptions of

favorite television programs.

Regarding **claim 64**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 63*). White discloses the system wherein the TV tag generator

is implemented as part o f the web server system (see paragraph 0022 and fig 1).

Regarding **claim 65**, Proehl et al. discloses a method comprising:

a program data repository to maintain television broadcast schedule data (see fig

5, paragraph 0018 and 0060);

a network interface to receive viewer personalization data based on viewer-

selection in web-based media content (see fig 1 and paragraph 0040);

a personalization data repository to maintain the viewer personalization data (see

fig 7 (556), fig 10 and paragraph 0074, lines 1-5); and

a program data filter to filter the television broadcast schedule data based on the personalization data (see paragraph 0074, lines 5-9). However, Proehl et al. fail to specifically disclose a TV tag.

White discloses a TV tag (see fig 8 (86) and paragraph 0058) and selectable TV tag (see cited portions, but not limited to paragraphs 0048-0051, the TV tags of fig 8 can be selected by a viewer and displayed in a display area as shown in fig 7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al.'s invention to include the above mentioned limitation as taught by White for the advantage of associating descriptions of favorite television programs.

Regarding **claim 66**, Proehl et al. and White discloses everything claimed as applied above (*see claim 65*). Proehl et al. discloses the system further comprising a schedule transmitter to transmit a filtered television broadcast schedule to a viewer (see paragraph 0074, lines 5-9).

Regarding **claim 67**, Proehl et al. discloses a system comprising:

means for receiving web-based content (see abstract, lines 15-18);

means for receiving television entertainment data (see paragraph 0064, lines 10-12). However, Proehl et al. fail to specifically disclose means for embedding in the web-based content, a TV tag that represents a portion of the television entertainment data that is related to the web-based content.

White discloses a TV tag (see fig 8 (86) and paragraph 0058) and TV tags

representing portions of the television broadcast schedule data are selectable (see cited

portions, but not limited to 0048-0051, the TV tags of fig 8 can be selected by a viewer

and displayed in a display area as shown in fig 7).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al.'s invention to include the above

mentioned limitation as taught by White for the advantage of associating descriptions of

favorite television programs.

Regarding **claim 68**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 67*). White discloses the system further comprising means for

performing an action associated with the TV tag (see fig 8 and paragraph 0050).

Regarding **claim 69**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 68*). Proehl et al. discloses the system wherein the means for

performing an action comprises means for maintaining viewer personalization data (see

fig 10 and paragraph0074). However, Proehl et al. fail to specifically disclose the TV

tag.

White discloses the TV Tag (see fig 8 (86) and paragraph 0058).

Regarding **claim 71**, Proehl et al. and White discloses everything claimed as

applied above (*see claim 67*). Proehl et al. discloses the system further comprising

means for filtering the television entertainment data based on a channel lineup

associated with a viewer (see fig 13a (660 and 662) and paragraph 0078, lines 18-20).

28.   **Claim 70** is rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl

et al. (US Publication Number 2005/0204389) in view of White (US Publication Number

2002/0056098) as applied to *claim 67* above, and further in view of Sampson et al. (US

Patent Number 5,802,499).

Regarding **claim 70**, Proehl et al. and White discloses everything claimed as

applied above. Proehl et al. discloses television entertainment data (see fig 13a).

However, Proehl et al. and White fail to specifically disclose the system further

comprising means for filtering based on a timezone associated with a viewer.

Sampson et al. discloses the system further comprising means for filtering based

on a timezone associated with a viewer (see column 59, lines 11-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al and White's invention to include

the above mentioned limitation as taught by Sampson et al. for the advantage of

receiving television content which is broadcasted at the same standard time.

29.   **Claims 76 and 78** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Proehl et al. (US Publication Number 2005/0204389) in view of White (US

Publication Number 2002/0056098).

Regarding **claim 76**, Proehl et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computing system to (see paragraph 0011):

a TV planner (see fig 7 (558), fig 11 and paragraph 0075, lines 1-3). However, Proehl et al. fail to specifically disclose to receive an indication of a viewer selection of a TV tag, the TV tag being rendered with other web-based content, the TV tag representing a particular television program; and transmit personalization data to a system indicating that the viewer is interested in seeing a scheduled broadcast instance of the particular television program.

White discloses receiving an indication of a viewer selection of the TV tag, the TV tag representing a particular television program (see fig 8 (88) and paragraph 0048 and 0062); and

transmitting personalization data based on the selected TV tag to a system indicating that the viewer is interested in seeing a scheduled broadcast instance of the particular television program (see paragraph 0053 and paragraphs 0061-0068).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Proehl et al.'s invention to include the above mentioned limitation as taught by White for the advantage of assisting the user to select their desired television program.

Regarding **claim 78**, Proehl et al. discloses one or more computer-readable

media comprising computer-executable instructions that, when executed, direct a

computing system to (see paragraph 0011):

a recording device (see fig 1 (42), paragraph 0036, lines 15-18 and paragraph

0075, lines 3-14). However, Proehl et al. fail to specifically disclose receive an

indication of a viewer selection of a TV tag, the TV tag being rendered with other web-

based content, the TV tag representing a particular television program.

White discloses receive an indication of a viewer selection of a TV tag, the TV

tag being rendered with other web-based content, the TV tag representing a particular

television program (see fig 8 (88) and paragraph 0048 and 0062).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Proehl et al.'s invention to include the above

mentioned limitation as taught by White for the advantage of viewing the program at a

later date and time.

30.   **Claim 77** is rejected under 35 U.S.C. 103(a) as being unpatentable over White

(US Publication Number 2002/0056098) in view of Kandasamy et al. (US Publication

Number 2004/0187164).

Regarding **claim 77**, White discloses one or more computer-readable media

comprising computer-executable instructions that, when executed, direct a computing

system to (see fig 5):

receive an indication of a viewer selection of the TV tag, the TV tag being

rendered with other web-based content, the TV tag representing a particular television

program (see fig 8 (88) and paragraph 0048 and 0062); and

transmit personalization data when the particular television program is scheduled

for broadcast (see paragraph 0053). However, White fails to specifically disclose an

alert system.

Kandasamy et al. discloses an alert system (see paragraph 0047, lines 18-20)

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify White's invention to include the above

mentioned limitation as taught by Kandasamy et al. for the advantage of notifying a user

when their favorite program is airing.

Conclusion

31.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nnenna N. Ekpo whose telephone number is 571-270-1663. The examiner can normally be reached on Monday - Friday 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NNE/nne
April 24, 2008.

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2623